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ATTORNEY DOCKET NO.  
074036.0127SERIAL NO.  
10/649,192

1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mohammed N. Islam et al.  
 U.S. Patent Serial No.: 10/649,192  
 Filing Date: August 27, 2003  
 Examiner: John Juba, Jr.  
 Group No.: 2872  
 Notice of Allowance Mailed: August 13, 2004  
 Confirmation No.: 5256  
 Title: VARIABLE BLAZED GRATING

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**REQUEST FOR CONSIDERATION OF AN INFORMATION  
DISCLOSURE STATEMENT SUBMITTED BEFORE  
MAILING OF THE NOTICE OF ALLOWANCE**

For reasons set forth below, it is respectfully requested that the PTO file for this application be promptly forwarded to Examiner John Juba, Jr., for confirmation that the reference listed on PTO-1449 attached to the Information Disclosure Statement filed February 13, 2004 has been considered.

On February 13, 2004, Applicants filed an Information Disclosure Statement (IDS) with PTO-1449 form (two (2) pages) attached, listing the reference submitted for consideration. This IDS was received at the U.S. Patent and Trademark Office on February

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10/649,192

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13, 2004 as shown on the returned, date-stamped postcard, copy of which is attached. For the convenience of the Examiner, a copy of the Information Disclosure Statement filed February 13, 2004 is enclosed.

The Notice of Allowability for this application was mailed on August 13, 2004. However, Examiner Juba has not returned a copy of the PTO-1449 form indicating consideration of the reference cited in the Information Disclosure Statement filed February 13, 2004.

Accordingly, Applicants hereby request confirmation of consideration of the previously filed Information Disclosure Statement. Examiner Juba is requested to initial the reference listed on the PTO-1449 form to show that it was appropriately considered during examination of this Application. The Commissioner is hereby authorized to credit any overpayment, or to charge any additional fee required by this paper, to Deposit Account No. 02-0384 of Baker Botts L.L.P.

BAKER BOTTS L.L.P.  
Attorneys for Applicants

  
Douglas M. Kubehl  
Reg. No. 41,915

2001 Ross Avenue, Suite 600  
Dallas, Texas 75201-2980  
(214) 953-6486

Enclosures: Copy of Information Disclosure Statement filed February 13, 2004  
with Form PTO-1449;  
Copy of acknowledgment post card showing  
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The "Received" stamp of the Patent and Trademark Office imprinted hereon acknowledges the filing of:

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PATENT APPLICATION  
10/649,192

1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Mohammed N. Islam, et al.

Application Serial No.: 10/649,192

Date Filed: August 27, 2003

Title: VARIABLE BLAZED GRATING

Commissioner for Patents  
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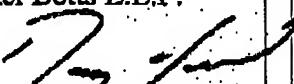
INFORMATION DISCLOSURE STATEMENT

Applicants respectfully request, pursuant to 37 C.F.R. §§1.56, 1.97, and 1.98, that the documents listed on the attached PTO-1449 form be considered and cited in the examination of the above-identified application. Furthermore, pursuant to 37 C.F.R. §§1.97(g) and (h), Applicants make no representation that these documents qualify as prior art or that these documents are material to patentability of the present application or that a search has been made.

Since the above-identified patent application was filed after June 30, 2003, a copy of any U.S. Patent and any U.S. Patent Application Publication cited on the attached PTO Form 1449 is not being submitted with this Information Disclosure Statement pursuant to the July 11, 2003 waiver of 37 C.F.R. S 1.98(a)(2)(i) by the U.S. Patent and Trademark Office.

This Information Disclosure Statement is being submitted pursuant to 37 C.F.R. § 1.97(b)(3). Although Applicants believe no fee is due, the Commissioner is hereby authorized to charge any fee to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,  
Baker Botts L.L.P.

  
Douglas M. Kuehnl  
Attorney for Applicants  
Reg. No. 41,915

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Date: 10-12-04

Page 1 of 1

PTO-1449		Application No.	Applicant(s)
Information Disclosure Citation in an Application		10/649,192 Docket Number 074036.0127	Mohammed N. Islam et al. Group Art Unit
			Filing Date August 27, 2003

## U.S. PATENT DOCUMENTS

	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
A	US 2002/0079432 A1	06/27/2002	Lee et al.	250	216	08/07/2001
B						
C						
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## FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES      NO
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## NON-PATENT DOCUMENTS

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